

House File 2409

H-8104

1 Amend House File 2409 as follows:
2 1. Page 6, after line 7 by inserting:
3 <Sec. _____. Section 484B.1, Code 2011, is amended by
4 adding the following new subsection:
5 NEW SUBSECTION. 3A. "Elk" means an animal
6 belonging to the cervidae family and classified as part
7 of the canadensis species of the cervus genus.
8 Sec. _____. NEW SECTION. 484B.4A Minimum enclosed
9 acreage — exceptions.
10 1. A hunting preserve on which elk are kept must
11 include at least three hundred twenty contiguous acres
12 which are enclosed by a fence as required pursuant to
13 section 484B.5. However, a person may keep elk only
14 on a hunting preserve that includes a fewer number of
15 enclosed acres if either of the following applies:
16 a. The commission grants a waiver for the hunting
17 preserve according to terms and conditions required by
18 the commission. The hunting preserve must include at
19 least one hundred sixty contiguous acres.
20 b. (1) The hunting preserve was operated as a
21 business on January 1, 2005.
22 (2) If the hunting preserve operated as a business
23 on January 1, 2005, the landowner or the landowner's
24 successor in interest may sell or otherwise transfer
25 ownership of the hunting preserve to another person
26 who may continue to operate the hunting preserve
27 in the same manner as the landowner. However, this
28 subparagraph shall not apply if the owner of the
29 hunting preserve or any successor in interest fails to
30 meet the licensing requirements of section 484B.4 each
31 year.
32 Sec. _____. Section 484C.1, Code 2011, is amended by
33 adding the following new subsection:
34 NEW SUBSECTION. 3A. "Elk" means an animal
35 belonging to the cervidae family and classified as part
36 of the canadensis species of the cervus genus.
37 Sec. _____. Section 484C.5, Code 2011, is amended to
38 read as follows:
39 484C.5 Minimum enclosed acreage — exceptions.
40 1. A hunting preserve must include at least three
41 hundred twenty contiguous acres which are enclosed by a
42 fence certified pursuant to section 484C.6. However,
43 the hunting preserve may include a fewer number of
44 enclosed acres if any of the following applies:
45 1. a. The commission grants a waiver for the
46 hunting preserve according to terms and conditions
47 required by the commission. The hunting preserve must
48 include at least one hundred sixty contiguous acres.
49 2. ~~a.~~ b. (1) The hunting preserve was operated
50 as a business on January 1, 2005.

1 ~~b.~~ (2) If the hunting preserve operated as a
2 business on January 1, 2005, the landowner or the
3 landowner's successor in interest may sell or otherwise
4 transfer ownership of the hunting preserve to another
5 person who may continue to operate the hunting preserve
6 in the same manner as the landowner. However, this
7 ~~paragraph~~ subparagraph shall not apply if the owner of
8 the hunting preserve or any successor in interest fails
9 to register with the department as provided in section
10 484C.7 for three or more consecutive years.

11 ~~3. a. c.~~ (1) The hunting preserve was not
12 operated as a business on January 1, 2005, and all of
13 the following apply:

14 ~~(1)~~ (a) The hunting preserve has at least one
15 hundred contiguous acres.

16 ~~(2)~~ (b) The hunting preserve's fence is certified
17 by the department not later than September 1, 2005.

18 ~~b.~~ (2) If the hunting preserve complies with
19 ~~paragraph "a"~~ subparagraph (1), the landowner or the
20 landowner's successor in interest may sell or otherwise
21 transfer ownership of the hunting preserve to another
22 person who may continue to operate the hunting preserve
23 in the same manner as the landowner. However, this
24 ~~paragraph~~ subparagraph shall not apply if the owner of
25 the hunting preserve or any successor in interest fails
26 to register with the department as provided in section
27 484C.7 for three or more consecutive years.

28 2. Notwithstanding any other provision of this
29 chapter or chapter 484B, a person may keep whitetail
30 and elk together on a hunting preserve that includes
31 less than three hundred twenty enclosed acres if the
32 person receives a waiver as provided in subsection 1,
33 paragraph "a" or meets the conditions specified in
34 subsection 1, paragraph "b".>

35 2. Page 6, after line 13 by inserting:

36 <Sec. _____. EFFECTIVE UPON ENACTMENT. The following
37 provision or provisions of this Act, being deemed of
38 immediate importance, take effect upon enactment:

39 1. The sections of this Act amending sections
40 484B.1, 484C.1, and 484C.5.

41 2. The section of this Act enacting section
42 484B.4A.>

43 3. Title page, line 3, by striking <and>

44 4. Title page, line 4, after <applicable> by
45 inserting <, and including effective date provisions>

46 5. By renumbering as necessary.

J. SMITH of Dickinson